

108TH CONGRESS
1ST SESSION

H. R. 902

To authorize the Secretary of Agriculture to convey certain parcels of National Forest System land in the State of Idaho, to use the proceeds for the acquisition, construction, or rehabilitation of facilities in the Panhandle National Forest in the State of Idaho, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 25, 2003

Mr. OTTER introduced the following bill; which was referred to the Committee on Resources

A BILL

To authorize the Secretary of Agriculture to convey certain parcels of National Forest System land in the State of Idaho, to use the proceeds for the acquisition, construction, or rehabilitation of facilities in the Panhandle National Forest in the State of Idaho, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Idaho Panhandle Na-
5 tional Forest Improvement Act of 2003”.

1 **SEC. 2. CONVEYANCE ADMINISTRATIVE SITES, NATIONAL**
2 **FOREST SYSTEM LAND, IDAHO.**

3 (a) CONVEYANCE AUTHORIZED.—

4 (1) AUTHORITY.—The Secretary of Agriculture
5 may convey any or all right, title, and interest of the
6 United States in and to the parcels of National For-
7 est System land, including any improvements there-
8 on, described in paragraph (2).

9 (2) PARCELS AUTHORIZED FOR CONVEY-
10 ANCE.—The following parcels of National Forest
11 System land are authorized to be conveyed under
12 this section:

13 (A) Granite/Reeder Bay, Priest Lake par-
14 cel, consisting of approximately 80 acres, and
15 described as the S.½ NE.¼ of section 17,
16 township 61 north, range 4 east, Boise merid-
17 ian.

18 (B) North South Ski area, consisting of
19 approximately 50 acres, and described as the
20 SE.¼ SE.¼ SW.¼, S.½ SW.¼ SE.¼, NE.¼
21 SW.¼ SE.¼, and SW.¼ SE.¼ SE.¼ of sec-
22 tion 13, township 43 north, range 3 west, Boise
23 meridian.

24 (C) Shoshone work camp (including ease-
25 ments for utilities), consisting of a portion of

1 S.1/2 SE.1/4 of section 5, township 50 north,
2 range 4 east, Boise meridian.

3 (3) MODIFICATION OF DESCRIPTIONS.—The
4 Secretary may modify the descriptions in paragraph
5 (2) to correct errors in the descriptions or to recon-
6 figure the parcels to facilitate their conveyance
7 under this section.

8 (b) CONSIDERATION.—

9 (1) MARKET VALUE REQUIRED.—As consider-
10 ation for the conveyance of a parcel of National For-
11 est System land under this section, the recipient of
12 the parcel shall pay to the Secretary an amount
13 equal to the market value of the parcel, as deter-
14 mined under subsection (c). At the election of the
15 Secretary, the consideration may be in the form of
16 cash or other consideration, including the acquisition
17 by the Secretary of improved or unimproved prop-
18 erty or property with improvements constructed to
19 the specifications of the Secretary.

20 (2) VALUATION.—The value of a parcel to be
21 conveyed under this section, and the value of any
22 property or improvements to be received in exchange
23 for the parcel, shall be determined by an appraisal
24 that—

25 (A) is acceptable to the Secretary; and

1 (B) conforms with the Uniform Appraisal
2 Standards for Federal Land Acquisitions.

3 (3) EQUALIZATION OF VALUES.—Notwith-
4 standing section 206(b) of the Federal Land Policy
5 and Management Act of 1976 (43 U.S.C. 1716(b)),
6 the Secretary may accept a cash equalization pay-
7 ment in excess of 25 percent of the value of a parcel
8 conveyed under this section.

9 (c) CONVEYANCE PROCESS.—

10 (1) SOLICITATIONS OF OFFERS.—The Secretary
11 may solicit offers for the conveyance of property
12 under this section on such terms and conditions as
13 the Secretary may prescribe. The Secretary may re-
14 ject any offer made under this section if the Sec-
15 retary determines that the offer is not adequate or
16 not in the public interest.

17 (2) METHODS OF CONVEYANCE.—The Sec-
18 retary may convey property under this section at
19 public or private sale, including at auction, or by ex-
20 change, in accordance with such terms, conditions,
21 and procedures as the Secretary determines to be in
22 the best interests of the United States.

23 (3) APPLICABLE LAW.—Except as otherwise
24 provided in this section, the conveyance of National
25 Forest System land under this section shall be sub-

1 ject to the laws applicable to the conveyance and ac-
2 quisition of land for the National Forest System.
3 The Agriculture Property Management Regulations
4 shall not apply to the conveyance of National Forest
5 System land under this section or any other action
6 taken under this section.

7 (d) DEPOSIT AND USE OF PROCEEDS.—

8 (1) DEPOSIT.—The Secretary shall deposit the
9 proceeds derived from the conveyance of property
10 under this section in the fund established by Public
11 Law 90–171 (commonly known as the “Sisk Act”;
12 16 U.S.C. 484a).

13 (2) USE.—Amounts deposited under this sub-
14 section shall be available to the Secretary, without
15 further appropriation and until expended—

16 (A) for the acquisition of, construction of,
17 or rehabilitation of existing facilities for, a new
18 ranger station in the Silver Valley portion of
19 the Panhandle National Forest in the State of
20 Idaho; and

21 (B) to the extent that the amount of funds
22 deposited exceeds the amount needed for the
23 purpose described in subparagraph (A), for the
24 acquisition, construction, or rehabilitation of

1 other facilities in the Panhandle National For-
2 est.

3 (3) LIMITATIONS.—Funds deposited under this
4 subsection shall not—

5 (A) be paid or distributed to States or
6 counties under any provision of law; or

7 (B) be considered to be moneys received
8 from units of the National Forest System for
9 purposes of—

10 (i) the sixth paragraph under the
11 heading “Forest Service” in the Act of
12 May 23, 1908 (16 U.S.C. 500);

13 (ii) section 13 of the Act of March 1,
14 1911 (commonly known as the “Weeks
15 Law”; 16 U.S.C. 500); or

16 (iii) the fourteenth paragraph under
17 the heading “Forest Service” in the Act of
18 March 4, 1913 (16 U.S.C. 501).

19 (4) NEW ADMINISTRATIVE FACILITIES AUTHOR-
20 IZED.—The Secretary may acquire, construct, or re-
21 habilitate the ranger station described in paragraph
22 (2)(A), and acquire associated land, using amounts
23 deposited under this subsection and, to the extent
24 such amounts are insufficient for such purpose,

1 other funds appropriated or otherwise made avail-
2 able for such purpose.

3 (e) MANAGEMENT OF ACQUIRED LAW.—Subject to
4 valid existing rights, the Secretary shall manage any land
5 acquired under this section in accordance with the Act of
6 March 1, 1911 (commonly known as the “Weeks Act”;
7 16 U.S.C. 480 et seq.) and other laws relating to the Na-
8 tional Forest System.

9 (f) WITHDRAWALS AND REVOCATIONS.—

10 (1) PUBLIC LAND ORDERS.—Effective on the
11 date of the enactment of this Act, any public land
12 order withdrawing the property authorized for con-
13 veyance under this section from appropriation under
14 the public land laws is revoked with respect to the
15 property.

16 (2) WITHDRAWAL.—Subject to valid existing
17 rights, the property authorized for conveyance under
18 this section is withdrawn from location, entry, and
19 patent under the mining laws of the United States.

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